

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE STATE OF OHIO,

and

THE UNITED STATES OF AMERICA,

Plaintiffs,

v.

Civil Case No. 23-cv-517

Hon. John R. Adams

NORFOLK SOUTHERN RAILWAY  
COMPANY,

and

NORFOLK SOUTHERN CORPORATION,

Defendants.

**JOINT MOTION FOR STAY OF DISCOVERY DEADLINES APPLICABLE BETWEEN  
THE UNITED STATES AND NORFOLK SOUTHERN**

Plaintiff, the United States of America, and Defendants, Norfolk Southern Railway Company and Norfolk Southern Corporation (collectively “Norfolk Southern”) jointly move the Court to stay the discovery and dispositive motion deadlines in the Court’s April 15, 2024 Case Management Plan as applicable between the United States and Norfolk Southern.

The United States and Norfolk Southern have reached agreement on a settlement that would resolve the United States’ claims against Norfolk Southern in this matter. The settlement is embodied in a proposed Consent Decree which was lodged with the Court on May 23. In

accordance with 42 U.S.C. § 9622(d)(2) and 28 C.F.R. § 50.7, the United States published notice of the proposed Consent Decree in the Federal Register to commence a 30-day public comment period, which would end on July 1.

On June 6, the State of Ohio filed a notice with the Court requesting that the United States extend the public comment period until no earlier than August 1. The United States has submitted to the Federal Register for publication a notice extending the public comment period through August 2.

In light of the proposed settlement and the expeditious deadlines set in this case, the United States and Norfolk Southern jointly request that the Court enter an indefinite stay of all discovery and dispositive motion deadlines applicable between the United States and Norfolk Southern. This stay would prevent the parties from using resources litigating the United States' claims after having already reached a settlement.

Respectfully submitted,

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